



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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Order Instituting Rulemaking Regarding Revisions
to the California Universal Telephone Service
(LifeLine) Program.

R.11-03-013
(Filed March 24, 2011)

**COMMENTS OF COX CALIFORNIA TELCOM, LLC, DBA COX
COMMUNICATIONS, (U-5684-C) ON ASSIGNED COMMISSIONERS'
RULING ADVISING PARTIES OF INTENT TO PLACE PROPOSED DECISION
DELAYING IMPLEMENTATION OF REVISED ELIGIBILITY CRITERIA
FOR CALIFORNIA UNIVERSAL TELEPHONE SERVICE (LIFELINE)
PROGRAM, DATED APRIL 25, 2017**

Pursuant to the Commission's Rules of Practice and Procedure ("Rules"), Cox California Telcom, L.L.C., *dba* Cox Communications (U-5684-C) timely submits these comments on the Assigned Commissioners' Ruling Advising Parties of Intent to Place Proposed Decision Delaying Implementation of Revised Eligibility Criteria for California Universal Service Telephone Service (LifeLine) Program, dated April 25, 2017 ("AC Ruling").

I. To avoid disrupting the California LifeLine program, changes, if any, will need to be considered and adopted in a timely manner.

The AC ruling reflects that in adopting Decision 17-01-032, the Commission modified California LifeLine eligibility criteria to mirror the eligibility criteria that the Federal Communications Commission ("FCC") adopted for the federal Lifeline program in April 2016. To do that, the Commission modified program-eligibility criteria by eliminating state-specific programs and aligned the percentage of the federal poverty level adopted by the FCC with respect to income-based criteria. The AC Ruling notes that the Commission is concerned that more restrictive eligibility criteria may have a negative impact on low-income Californians and

current LifeLine subscribers that qualified under the state-specific criteria. In light of that concern, the AC Ruling states that a proposed decision will be forthcoming which will delay implementation of the eligibility requirements adopted in Decision 17-01-032, until November 1, 2017, at the earliest.

While Cox has advocated for aligning eligibility criteria (among other rules) between the federal Lifeline and the California LifeLine program for a number of reasons, to the extent the Commission wishes to re-consider the rules adopted in Decision 17-01-032 and take a different path, Cox strongly urges the Commission to do so in a prompt, fair and reasonable manner consistent with the Commission's Rules so as to avoid disrupting the LifeLine program.

The AC Ruling makes clear that the Commission will be issuing a proposed decision in the future, but the ruling does not indicate when that will happen, what issues will be addressed or if the Commission will solicit comments prior to issuing a proposed decision. Without knowing more, Cox urges the Commission to gather and utilize whatever data may be available when proposing future changes. For example, data indicating whether or not an existing California LifeLine consumer who is subscribed under state-specific criteria that the FCC eliminated would qualify under one of the current FCC-approved programs or under the income-based criteria would assist the Commission in making going-forward decisions. Similarly, the Commission should take into account costs that the California LifeLine Fund might incur as a result of any new requirements. For example, the California LifeLine Administrator ("CLA") could likely require a contract amendment to undertake and complete additional work, and the Commission allows carriers to recover incremental costs incurred in implementing new requirements from California LifeLine Fund.¹

¹ See GO 153, Rule 9.3.12.

As the AC Ruling reflects, it takes a significant amount of resources to implement substantive changes, and neither the CLA nor California LifeLine providers can implement such changes on short timeframes. As just one example, if the Commission were to adopt California-specific eligibility criteria to take effect after the FCC's waiver expires, then there will be two Lifeline programs in California – a federal program and a state program. There will need to be rules and processes adopted to accommodate two programs and sufficient time for both the CLA and carriers to implement related requirements and for the Commission to deploy a very robust consumer education program. The Commission will also need to decide whether there will be two Lifeline rates (one for consumers qualifying under federal Lifeline criteria, and one for consumers qualifying under California LifeLine criteria), or will there be one LifeLine rate such that California LifeLine providers recover from the California LifeLine fund the amount of federal funding they would not be eligible to claim from the federal fund.

The California Lifeline program is one of the Commission's most important programs and Cox looks forward to working with the Commission on ensuring its on-going success.

II. Conclusion.

Cox appreciates the Commission providing notice about the status of the implementation date for the eligibility criteria adopted in Decision 17-01-032. Cox cautions the Commission that it will take time to consider and adopt modified or different requirements, and for the CLA and California LifeLine providers to implement new requirements, if any. Accordingly, Cox urges the Commission to promptly gather and analyze relevant data and solicit comments from interested parties so that the Commission may act in a timely manner to address any remaining concerns, and thereby, avoid disrupting the California LifeLine program.

Dated: May 1, 2017

Respectfully submitted,

/s/ Margaret L. Tobias

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